

FILED IN CHAMBERS

United States District Court U.S.D.C. Atlanta

ORIGINAL

NORTHERN DISTRICT OF GEORGIA

AUG 17 2011

UNITED STATES OF AMERICA

JAMES N. HATTEN, Clerk
By: *DFG* Deputy Clerk

CRIMINAL COMPLAINT

V.

ERIC PETERSON

CASE NUMBER 1:11-MJ-1258

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

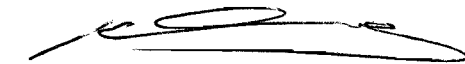
In or about July, 2011, in the Northern District of Georgia, defendant ERIC PETERSON, using a facility of interstate commerce, knowingly received and possessed child pornography, that is, visual depictions of one or more minors engaging in sexually explicit conduct, said depictions having been produced through the use of minors engaging in sexually explicit conduct, all in violation of Title 18 United States Code, Section 2252.

I further state that I am a Special Agent with the Federal Bureau of Investigation (FBI) and that this complaint is based on the following facts:

see attached affidavit

Continued on the attached sheet and made a part hereof.

(X) Yes () No



Signature of Complainant
Keith Kabrhel

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

August 17, 2011

Date

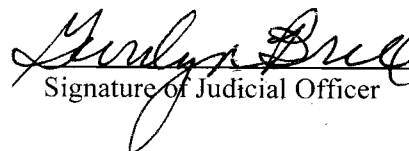
at

Atlanta, GA

City and State

Gerrilyn G. BrillUnited States Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT FOR 1:11-MJ-1258

I, Keith Kabrhel, being first duly sworn, do hereby depose and state:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and have been so employed since April 2006. I have for several years now investigated federal criminal violations related to the use of computers and computer-based crimes against children. I have received formal training in the investigation of these matters at the FBI Academy. I also have a Bachelors of Science in Computer Information Systems and previously worked in private industry for nine years as a computer, data and systems specialist. As an SA, I have participated in many investigations in which perpetrators have used computers to commit violations involving the sexual exploitation of children.
2. I have been investigating the activities of Eric PETERSON who resides at 2569 Chimney Springs Road in Marietta, and who was employed at Sheley and Hall, P.C., located at 303 Peachtree Street in Atlanta. As will be shown below, there is probable cause to believe that PETERSON received and possessed child pornography, in violation of Title 18, United States Code, Section 2252. I am submitting this affidavit in support of a criminal complaint that would authorize me to arrest PETERSON.
3. The statements in this Affidavit are based primarily upon my own investigation of this matter. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included every fact known to me concerning this investigation. Rather, I have set forth only the facts that I find necessary to establish probable cause to believe that PETERSON received and

possessed child pornography, in violation of Title 18, United States Code, Section 2252.

THE INVESTIGATION

4. On July 28, 2011, the FBI Atlanta field office received a complaint call from the law firm Sheley and Hall, P.C., stating that an employee of the firm (PETERSON) was in possession of child pornography on his work desktop computer.
5. On August 15, 2011, four days after I received the complaint from the FBI Atlanta Office's intake unit, I interviewed several employees of Sheley and Hall and ADB Services Inc. ("ADB"), the information technology company that provides IT services to Sheley and Hall P.C. I learned the following information from those interviews.
6. On July 26, 2011, ADB observed an unusually large volume of network traffic emanating from the computer system assigned to PETERSON on the Sheley and Hall network. ADB conducted further investigation and found that PETERSON was accessing websites with names indicative of child pornography, such as www.jillian.tiny-jewels.com and www.preteen-free-galleries.com. ADB employees visited some of these suspicious websites found in PETERSON's on-line traffic, to include www.jillian.tiny-jewels.com and www.preteen-free-galleries.com, and observed what they believed to be sexually-explicit images of children on the websites.
7. ADB also found, in PETERSON's network activity, that PETERSON was using Bit Torrent software to transfer data to and from the Sheley and Hall network. Bit

Torrent is a type of software that allows users to share computer files through the Internet.

8. On July 27, 2011, ADB notified management at Sheley and Hall of what they had found in PETERSON's network traffic. Later that day, after PETERSON left Sheley and Hall for the night, an employee of Sheley and Hall took the company computer from PETERSON's office and drove it ADB's office for analysis.
9. Through its technical analysis, ADB found PETERSON's work computer to contain thousands of deleted image files. Many of these deleted files (which were recoverable using a deleted item recovery tool) contained child pornography, to include images of children as young as three being sexually abused.
10. The following morning, on July 28, 2011, in the lobby of their office building, the management team at Sheley and Hall informed PETERSON that he was being terminated. PETERSON was asked to remain in the lobby while his personal effects were boxed up and delivered to him.
11. While in the process of cleaning out PETERSON's office, Sheley and Hall employees found 15 compact disks labeled with female names. The employees placed one of the CDs in a computer to view its contents; they found it to contain child pornography. I subsequently viewed a sampling of the disks and confirmed that they contained child pornography.
12. Between July 28, 2011, (the date of his termination) and August 9, 2011, PETERSON sent a series of emails to his former co-workers at Sheley and Hall. The following is a sampling of text from some of the emails:

- “According to the referring Doctor, I have an uncontrollable addiction which can only be controlled through intense therapy but ill never be cured [...] the rest of my life I will go to sex addicts meetings weekly.”
- “I am to blame for this. I accept full responsibility for my addiction and my actions but need to try to help her [PETERSON’s wife]. She knows everything I did for 11 years.”
- “I fear not for my own well-being and care not whether I make to 38 but I cannot allow them to hurt like this. It is too great a burden to bear. I will do whatever it takes and conform to whatever guidelines are demanded of me. The alternative is something that I will not force her or my children to go through. I have a nuclear plan.”

CONCLUSION

13. Based on the foregoing information, I respectfully submit that there is probable cause to believe that Eric PETERSON has violated Title 18, United States Code, Section 2252, i.e., he has used a facility of interstate commerce (the internet) to receive and possess child pornography, and that an arrest warrant should be issued.